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*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

BERNARD GREENMAN MARITAL DEDUCTION
TRUST,

GREENMAN FAMILY FOUNDATION, INC.,

PHYLLIS GREENMAN, individually, as Successor

Adv. Pro. No. 10-04479 (SMB)

Trustee and Beneficiary of the Bernard Greenman
Marital Deduction Trust,

LESTER GREENMAN, individually and as
Beneficiary of the Bernard Greenman Marital
Deduction Trust,

JUDITH KATZ, individually and as Beneficiary of
the Bernard Greenman Marital Deduction Trust, and

STEWART KATZ, individually,

Defendants.

AMENDED STIPULATION AND ORDER OF DISMISSAL

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and Bernard Greenman Marital Deduction Trust (the “Greenman Trust” or “Defendant”) and Stanley Greenman, Judith Katz and Lester Greenman, solely in their capacities as Co-Successor Trustees of the Greenman Trust (the “Co-Successor Trustees,” and together with the Trustee and the Greenman Trust, collectively the “Parties”), by and through their counsel, FREJKA PLLC, hereby stipulate and agree to the following:

1. On November 30, 2010, the Trustee filed and served the Complaint against Defendants.
2. On April 17, 2014, the Greenman Trust served an answer on the Trustee.
3. On December 25, 2016, defendant Phyllis Greenman, Successor Trustee of the Greenman Trust died on December 25, 2016.
4. On January 4, 2017, Stanley Greenman, Lester Greenman, and Judith Katz were

appointed as Co-Successor Trustees of the Greenman Trust. They also serve as the nominated personal representatives of the Estate of Phyllis Greenman.

5. On March 1, 2017, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].

6. On April 13, 2017, the Parties stipulated to a dismissal with prejudice of the Trustee's claims against the Greenman Trust and the Estate of Phyllis Greenman. *See* Stipulation and Order of Dismissal, entered on April 13, 2017 (ECF No. 51) (the "Trust Stipulation").

7. The Trust Stipulation did not formally dismiss with prejudice the Trustee's claims against Phyllis Greenman, the remaining named defendant in the adversary proceeding.

8. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee's claims against Phyllis Greenman.

9. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

10. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

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Dated: July 27, 2017

BAKER & HOSTETLER LLP

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*Attorneys for Plaintiff Irving H. Picard, Trustee
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Liquidation of Bernard L. Madoff Investment
Securities LLC and the Estate of Bernard L.
Madoff*

SO ORDERED

Dated: July 27, 2017
New York, New York

FREJKA PLLC

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Attorneys for Defendants

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE